

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 0-1638

On MARCH 3, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Rochester Michigan Congregation of Jehovah's Witnesses, A Michigan Non-Profit Corporation, 1221 E. Avon, Rochester Hills, MI 48309

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226

"Grantor's Land" is in the City of Rochester Hills, Oakland County, described as:

Sec. 7, T3N, R11E, Part of W 1/2 of SE 1/4 Beg at Pt Dist E 403.58 Ft from S 1/4 Cor, Th N 01°02'50" E 402.06 Ft, Th S 89°33'10" E 319.11 Ft, Th S 00°37'50" W 399.52 Ft, Th W 322.05 Ft to Beg. 2.95 Acres - Sidwell No:15-07-452-021

The "Right of Way Area" is a part of Grantor's Land and is described as:

A 10 ft. wide easement with its centerline described as follows: Beg at a Pt located on the W property line. Located approximately 40 ft. S of the N property line. Thence in a Southeasterly direction approximately 140 Ft. to a Pt, said Pt located approximately 25 Ft. E of the W property line and 180 ft. S of the N P/L and pt of ending.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- 2. Access:** Grantee has the right of access to and from the Right of Way Area.
- 3. Buildings or other Permanent Structures:** No buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.
- 4. Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
- 5. Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
- 6. Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.
- 7. Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 42897

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Frank Suhly

Rochester Michigan Congregation of Jehovah's Witnesses
(A Michigan Non-Profit Corporation)

FRANK SUHLY

Steven Waldeck SECRETARY

Robert F. Walker

By: STEVEN WALDECK

Acknowledged before me in Oakland County, Michigan, on 3-3-

0001 JUN.05'92 11:07AM
6277 MISC FEE 7.00 LM

STEVEN WALDECK the SECRETARY of Rochester Michigan Congregation of Jehovah's Witnesses, a Michigan Non-Profit corporation, for the corporation.

Notary's Stamp: Notary Public Oakland Notary's Signature: [Signature]
Expires: March 15, 1992

DEC 02